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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA
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UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

vs.

JEFFERY LYNN ALEXANDER

Case No.:

5:15-CR-00066-001

DEFENDANT'S NOTICE OF ELIGIBILITY /
MOTION TO VACATE /
MOTION FOR APPOINTMENT OF COUNSEL

COMES NOW the Defendant, JEFFERY LYNN ALEXANDER in PRO SE, in necessity, and hereby gives NOTICE to this Honorable Court, that he is eligible for a reduction in sentence and/or relief from a sentencing enhancement due to recent Supreme Court decisions that have made a substantive DUE PROCESS change in the applicability of the ARMED CAREER CRIMINAL ACT pursuant to 18 U.S.C. § 924(e). The Defendant avers that he is eligible for a sentence reduction pursuant to the recent Supreme Court decisions of Johnson and Welch. In support, the Defendant shows the Court the following:

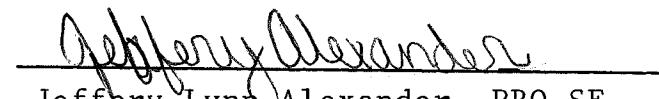
- 1) On or about June 26, 2015, the United States Supreme Court ruled in the case of Johnson v. United States, striking down as unconstitutionally vague the Armed Career Criminal Act's RESIDUAL CLAUSE.
- 2) On or about April 18, 2016, the United States Supreme Court ruled in the case of Welch v. United States, that the change made by the Johnson decision MUST BE APPLIED retroactively on collateral review.
- 3) That relief MUST BE pursued pursuant to 28 U.S.C. § 2255.
- 4) That in the case at hand, United States v. JEFFERY LYNN ALEXANDER this Defendant was enhanced under the A.C.C.A.'s residual clause, which is herenow due to be corrected.

- 5) That the merits of the Defendant's claim are CLEARLY established in the record of his Criminal Case and that filing relief and/or hearing would be due.
- 6) Upon the granting of a hearing based upon the merits in a § 2255 proceeding, the Court is required to appoint Counsel to indigent petitioners, pursuant to 18 U.S.C. § 3006A.
- 7) The Defendant hereby MOVES this Honorable Court to appoint Counsel to represent him in his pursuit of sentence reduction under 28 U.S.C. § 2255. The Defendant avers that the issues are complex and are better approached by qualified Counsel appointed to an indigent Defendant pursuant to 18 U.S.C. 3006A.

WHEREFORE NOW, above premises considered, the Defendant hereby MOVES this Honorable Court to GRANT this [his] motion, all relief requested herein, and all other relief required by Law, Liberty, and Justice.

Done This 6th Day of June , 2016.

Respectfully Submitted,

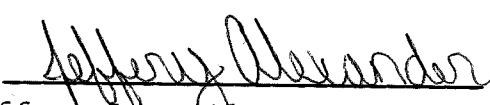


Jeffery Lynn Alexander, PRO SE
Reg # 17560-035
Federal Correctional Institution
P.O. Box 5000
Oakdale, LA. 71463

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have served a copy of this foregoing instrument upon the Clerk of this Court, via U.S. mail, properly addressed, first-class postage prepaid affixed thereto, by placing into the internal mailing system as made available to inmates for legal mail at the Federal Correctional Institution in Oakdale, Louisiana. The defendant further requests that a copy of this [his] motion be forwarded to all interested parties via the CM/ECF system, as he is detained, indigent, and has no other means.

Done This 6th Day of June, 2016.
Respectfully Submitted,


Jeffery Lynn Alexander, PRO SE
Reg # 17560-035
Federal Correctional Institution
P.O. Box 5000
Oakdale, LA. 71463